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SOME
REFLECTIONS
ON A LATE
PAMPHLET,
Entituled,
A VINDICATION
OF
Their Majesties Authority
TO FILL THE
SEES
OF THE
DEPRIVED BISHOPS, &c.

Thomas Browne, of St Johns.

In a Letter from the City to a Friend in the Country.

London, Printed in the Year, 1691.

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SOME
REFLECTIONS
ON A LATE
Pamphlet, &c.

S I R,

THE Account which you receiv'd in the Country of Dr. B——'s *Refusal of the Bishoprick of Bath and Wells*, hath not perhaps occasioned a greater *Talk*, and louder *Noise* with you, than the severe Censures and Reflections on him have here for such his Refusal; and the *Noise* is not a little increased by a *Pamphlet* newly come out under the Stamp of *Authority*. In which the *Author* has given perhaps no less an *unhappy Amusement*, to which a wise Man, who had well considered *Consequences*, would not have given the *Occasion*. For why must Dr. B—— be so severely Censur'd and Reflected on for refusing a Bishoprick? Is he not *sui Juris*, at his own dispose? Has he not the Liberty of his Will? May he not act and govern himself, in instances of Choice or Refusal, according to his own Inclination? Is the refusing of a Bishoprick such an unpardonable Crime, and of such dangerous and fatal Consequence, that it shakes and disturbs the Government, and threatens to over-

throw it, and *unsettle the Minds of Men*? Was a Bishoprick never refus'd before? Are there no Instances of it in former Reigns? Were there not some that refus'd Bishopricks in the Reigns of King Charles and King James, and yet little Notice taken of it, and no Fears entertain'd of any *mischievous Effects* consequent to such a Refusal? And what *mischievous Effects* should our *Author* be apprehensive of now, upon the *Doctor's* Refusal, unless such as the Gentlemen of the High-way, who have taken a Purse, are jealous of from one of their Fellows, who suddenly refuses his share of the *Dividend*; whom therefore they are justly angry with, suspecting that he will betray 'em, and be an Instrument to restore the Plunder to the good Man, promising himself a Pardon for that piece of Justice, and effectual Repentance?

Our *Author* tells us, Pag, 2. *he can easily apprehend several Reasons which might move wise and good Men rather to chuse an Ecclesiastical Preferment, void by Death or Cession, than by Deprivation. And why will he not allow Dr. B—— to be one of those wise and good Men, whose Head perhaps is as clear, and his Eyes as open to apprehend those Reasons?*

But, it seems, our present Circumstances are such, as ought to overrule all Niceties — i. e. to go through Stitch with the Work, Right or Wrong; to go on, to press forward through Thick and Thin, over Shoes, over Boots; to curb the Struggles of the reluctant Mind, and silence the upbraiding Clamours and Crys of Conscience, which must not be so rude and unmannerly as not to give place, in our Circumstances, to the louder Voice, and more prevalent Arguments of Interest: The Mischiefs of such a Refusal being so intolerable, as nothing can excuse, much less justify it, but the absolute Unlawfulness of succeeding in such Preferments, while the Deprived Bishop lives. —

And what if the *Doctor* is convinced of the *Unlawfulness* of it, that I hope may excuse, if not justify, his Refusal. Which though our *Author* thinks very odd for them to pretend, who have submitted to the present Government, yet perhaps the *Doctor* is of another Opinion, who, it may be, is not so thorough-pac'd and zealous
a Confor-

a Conformist, as implicitly to subscribe to, and comply with whatsoever the present Governours shall command and direct.

And then our *Author* advances, Pag. 3. to consider the first sort of *Reasons*; which yet, he says, are no *Reasons* in our *Circumstances* — i. e. say what you will, and offer what *Reasons* you can, they are all unreasonable in comparison of the great *Reason*, and *Argument* of *Interest*; which to submit to now, in our *Circumstances*, there is an absolute and indispensable *NECESSITY*; the great and mighty *Argument*, and *BURDEN* of the famous *PASTORAL*, tun'd ad usum *SARUM*.

As to the first, says he, it may so happen, that the Person deprived, and the Person to be promoted, have been old and intimate Friends; and this may grate hard upon the Person to be promoted, to succeed in the Chair of one whom he loves, whose Misfortunes he pities, &c.

This is just like the Case of an *Olivierian* Sequestrator, who came to enter upon the Estate of his old and intimate Friend, which he enter'd on with some Reluctancy and Concern; It grated hard upon him to sequester the Estate of one whom he lov'd, whose Misfortune he pitied, whom he greatly valued for his other many good Qualities — But he is a Malignant, and therefore must be sequestred. Now, says the Sequestrator, if to refuse such an Estate, or Preferment, could keep my Friend possessed of it, there were some sense in this; but I know no other case, whereen'tis thought a breach of Friendship to succeed a Friend in an Estate or Preferment which he has lost, and which the Law says is not, and shall not be his, when there is no foul play in supplanting him, any more than to succeed a dead Friend: Friendship is so far from being any Reason against it, that it should make it desirable to both; to one, That his Friend might get what he has lost; to the other, That he may have opportunity, if there be occasion for it, to make his Friend's Misfortune more easy than a Stranger would do. Which is just like the Apology that the more civil, better natur'd Thief makes for taking the good Man's Purse, who, he tells you, might have fallen into the hands of an ungenteeler Robber, who perhaps would have dealt roughly and rudely with him, and have made his Misfortune so much the more uneasy.

But

But our *Author* demands, Pag. 5. *If Friendship be no Objection, what should binder any Man from taking a Preferment which another is Legally deprived of?* For, says he, *I must take the Legality of it for granted now, and argue upon that Supposition.* But he takes that for granted which is disputed, and that by not a few of the *Swearers* themselves, who, I believe, are not satisfied in all Points as to the Justice and Legality of the *Revolution*, and all Things that are done in it. What else is the meaning of the *Protestation* (which stands yet upon Record) of some of the Members of the *Convention* against the *Vacancy*, who might as well and as justly protest against the *Vacancy* of the *Episcopal*, as that of the *Royal Throne*, each being made and declar'd *Vacant* by the same Authority. If the Proceedings were thought *Legal*, why was the Word *Rightful* in the first Draught of the new Oath of Allegiance so violently oppos'd, and at last razed out? If the *New King* was not *Rightful King*, he was not *Legally King*, and therefore an *Usurper*; and consequently all that was done by his Authority, and the Authority of the *Convention* that made him *King*, is illegal. If they were thoroughly convinc'd of the Legality of the *Revolution*, why did so many, who have taken the *New Oaths*, refuse to take them in the Sense of the *Imposers*, but their own, and invent *New Salvoes* to quiet their struggling and reluctant Consciences? Some declaring, that they took the Oath only as an *Obligation to live peaceably*; others, with a *Proviso*, that it did not oppose, contradict, or annul, the *Ancient Fundamental Laws* of this *Realm*: Others were drawn by the *Magnetick Force*, and influenced by the powerful Charms of that rare, new-invented *Salvo*, that superfine *Criticism* of a certain eminent *Divine*, and eloquent *Preacher* in this *City*, (than which the subtle, most *Aristoteletical Thomas Aquinas* himself could not have invented a better) viz. That the taking the *New Oath* is only a temporary *Suspension of Allegiance to King JAMES*; to whom, when he returns, we might warrantably return to our *Duty and Allegiance*. A smooth and lucky Vehicle, which tempted not a few young *Ecclesiasticks* to swallow the bitter Pill. — So that the *Legality* of the *Revolution*, and consequently of the *Deprivation*, being question'd

question'd and disprov'd, our *Author* proceeds upon a wrong Hypothesis; and has little Reason to blame Dr. B—— for refusing a Preferment, which to take, being *another's*, is utterly unlawful.

But there is a more material Consideration, says our Author, pag. 6. which may influence prudent and cautious Men, who are well preferred already. The Experience of the Revolution in 1660. hath taught them how dangerous it may be in case such a Revolution should happen, to change their old Preferments for new ones, which may be challenged again by their old Proprietors. And why is our Author angry with such prudent and cautious Men, who are so tractable as to be willing to be taught by the woful Experience and sad Examples of others, who foolishly unhing'd themselves, and quitted their old for a precarious Title to new Preferments, which, currente Rotâ, were justly challenged again by their old Proprietors? Why may they not be allowed to learn Wisdom from the burnt Child, which dreads the Fire, and from the cheated Dog in the Fable, whose Folly was sufficiently chastis'd by snapping at the Shadow.

—— *Felix quem faciunt aliena pericula cautum.*

But why does our *Author* so much dread, Why does he put so acute an *Emphasis* of Horror upon *SUCH* a Revolution, as was that of 1660. which every 29th. of May, the Anniversary Commemoration of it, does bless; and all Generations shall call it blessed: It being a Revolution which brought many inestimable Blessings with it: Which stanch'd the Flux of Blood, clos'd our ghastly gaping Wounds, and heal'd our Breaches, and put an End to our miserable Confusions, and the *Great Rebellion*: Which crown'd us with the desirable, long wish'd for Blessings of Peace and Plenty; and restor'd to every Man his Right; to the *King* his Crown and Royal Dignity, to the *Church* her Revenues and Liturgy, to the *State* the course of Justice and Deliverance from Slavery, to the poor oppressed, sequestred, Loyal *English Subject* his Liberty and Property, and to these *distracted Nations* a happy Settlement, and an opulent Prosperity: *A Revolution* which

* With such
invidious Cha-
racters there
were not want-
ing some, like
our *Author*, to
disgrace, to
overcast the
brighter
Dawn of that
happy Revolu-
tion, to pre-
occupy and
prejudice the
Minds of Men.

which was not like the **breaking in of the Sea to overthrow our Hou-*
ses, and cause us to perish with our Neighbours; but like the soft
and gentle Dew, or joyful Rain to the parched Earth, to refresh
and comfort it. And why should our *Author* be so much afraid
of, and so vehemently deprecate *SUCH* a *Revolution*; unless
he has chang'd his *Old Preferments* for *New ones*, which he may
justly fear will be *challenged ag ain by their old Proprietors*?

I am confident were the Generality of the *English Subjects*
(how much soever they are prejudic'd now, being too apt to
be blinded by the Vapours of intoxicating *Fears* and *Jealousies*)
satisfied that another would prove *SUCH* a *Revolution*, as
was that of 1660. (which they have the less cause to fear,
considering that the *Person* to be restored is not a cruel bloody
Nero, or *Diocletian*, but a *Branch of the forgiving Race*, related
to the *Royal Martyr*, and *Charles the Merciful*, and an *English-man*
born; to which may be added the signal Instances of his Cle-
mency and forbearing Mercy in *Ireland* (to the great disgust
and dissatisfaction of the *French Generals*) when he might have
taken (in all likelihood, successful) Advantage over the *English*
Army, when in a sick, and weak, and languid State; whom
he pitied, as a true *Father* of his Country) I am confident, I
say, that from *SUCH* a *Revolution* they would not make it
their Litany, *Libera nos Domine*; or cry out in a Fright, at the
apprehension of it, in the Language of our *Author*, *If there ever*
be SUCH a *Revolution*, &c. *God be merciful to this miserable Na-*
tion.

But our *Author* makes a lamentable Complaint, Pag 9. *What*
an unpardonable Scandal Dr. B——'s Refusal hath given both to
the Enemies and the Friends of the Government.—— Which, by the
way, is no very good Argument of the Goodness of it, and no
very lucky Omen or Prognostick of its *Stability* or *Continuance*: In
as much as in former *Reigns* the like Refusal has not given
such a *Scandal*, as our *Author* speaks of. Which does not natu-
rally and necessarily owe it self to the *Doctor's Refusal*, though
accidentally and occasionally it may, but to the sick, and lame,
and tottering State of the *Government*, which really is neither
made

made better nor worse, neither strengthened nor weakened by the Doctor's Refusal. But his refusing to be made so eminent a Member of it, and that either out of Fear, or Conscience, or both, may accidentally suggest Reflections upon the Stability or Authority of it. And if *this confirms the Enemies of the Government in their Opinion of the Unlawfulness to submit to it, and weakens the hands of Friends, and makes them cautious of embarking in a sinking Interest, and fills them with new Jealousies of the Lawfulness of it,* who can help it, whom may we thank for it? Not the Doctor, but the Badness of the Cause, which as the Doctor's Refusal could not make worse, so his Compliance cannot make better.

In the next Paragraph, Pag. 10. we find our Author in a great Fright, *dreading what might be the fatal Consequence of such a Miscarriage as this both to Church and State: i. e.* I presume least it should tempt and provoke the new Governours to alter the Constitution of the Church, and set up Presbytery. But then presently his Fears vanish, being *persuaded of the good Inclinations of their Majesties to the Church of England; of which indeed they have given a signal Evidence by their wonderful kindness to the Episcopal Members of the Church of Scotland.* But this our Author's Eyes are not yet open to see, being blinded and transported with some of that extatick Zeal and good Affection, which his wiser Men (Pag. 11.) are inspired with, which perhaps was the cause of that unmannerly Effort, that instance of Rudeness and Folly in him, of calling the Doctor Fool, which is the softest Name that his good Breeding could bestow upon him, which I am apt to think was a little too rude treating of so Reverend a Person, whom the Government thought worthy of so high a Character, had he not been too self-denying to accept of it.

He then proceeds in the next Paragraph, Pag. 11, 12. to his Conclusion from the Premises. *This, says he, plainly proves, that supposing it Lawful to have taken the Bishoprick, no other Consideration whatsoever can justify the Refusal in our Circumstances —* If then, according to his own Argument, it be unlawful, or if the Doctor thought it so, his Refusal is justifiable. But he knows not how to suppose that the Doctor could think it unlawful. Which

that he could not do, he endeavours to prove by two Arguments.

The first is drawn from the *Doctor's* Submission to the *Government*, and taking the *Oaths of Allegiance as early as any Man*, and never that our *Author* heard had the least *Scruple* about it. (Pag. 12.) Perhaps the *Doctor* took the Oath as some of the *Kentish Clergy* took it—— i. e. as the *Israelites* did eat *Manna*, to keep 'em from *starving*. But perhaps the *Doctor* repents, and sees his *Error*, and is sorry for what he has done, and therefore as a true *Penitent*, will not add Sin to Sin. And though he took the new Oath of Allegiance, and that perhaps a little too precipitantly, yet he will not *Rob*, or *Steal*, nor commit *Sacrilege*. But our *Author* is very *uncharitable*, and will allow no place for *Repentance*, though, as *Esau*, a Man seek it carefully with *Tears*. For, says he, this was the time to have been *Scrupulous*, if he would have been so; for it seems a little of the latest, when he is become a sworn *Subject* to *K. William* and *Q. Mary* to question their *Authority* to make a *Bishop*. But if true *Repentance* be not too late with *God*, I know not why *Man* should account it so.

His second Argument is drawn, Pag. 13. from the *Doctor's* exercising *Archi-Episcopal Authority*, by *Commission* from the *Dean* and *Chapter* of *Canterbury*, during the *Vacancy* of the *See*, by the *Deprivation* of the *A. B.* as it is expressed in the *Commission*—— and this, he tells us, he takes to be altogether as *unlawful* (if either of them were *unlawful*) to seize upon the *Authority* of the *A. B.* upon the *Account* of his *Deprivation*, as to take the *Character*, and exercise the *Authority* of a *Bishop* in the *See* of a *deprived Bishop*. Let the *Doctor* answer for this himself, as I doubt not so great a *Canonist* is able to do: Though at the first sight it appears to any one that is not so well vers'd and learned in the *Canon Law*, that to exercise *Archi-Episcopal Authority*, when the *Arch-Bishop's* hands were tyed up, and could not do it himself, is a less Fault than to enter, *pleno Jure*, upon the *Right* and *Possession* of a *Bishop*, *unjustly deprived*, and seize, and enjoy the *Revenues* of his *See*.

But

— But I cannot but observe how industriously and maliciously our *Author* (like the Great *Abaddon*) endeavours to keep the poor *Doctor* from Repentance, by shewing and exposing the Absurdity and Unreasonableness of his Refusal, from this Consideration, That he has plung'd himself so deeply in one Act after another, in compliance with the Government, (which is suppos'd to confirm his Opinion of the Lawfulness of it) that he cannot now Stop, but must go on *ad Finem usque*. Alas! what a *Dilemma* do Men bring upon themselves, when they go out of God's Way, and leave the Paths of Truth, Justice, and Righteousness! He that makes one false Step, knows not whither he may wander. He that presumptuously commits one Error, knows not when, or where he shall end.

Uno Absurdo dato sequuntur Mille.

But this is the Sinner's Comfort amidst the frightful View of his repeated Acts of Sin, that sincere Repentance will expiate for his greatest Errors, resolving, *If I have done Evil, I will do so no more.*

Thus our *Author* having endeavour'd to prove that the *Doctor* could not think it *unlawful* to take the *Bishoprick*; He tells us, Pag. 14. what the Peoples Sentiments are of his Refusal: Which, says he, after an appearing forwardness to take it, hath tempted People to think, that he judges it *unlawful*. And if they do so, our *Author* has put a very fine Argument in their Mouths by an easy Train of necessary Consequences (wherein he speaks great Truths, perhaps against his Will) which may be more disserviceable to the Government than he is aware of; the bare Recital of which will be enough without a Comment.

If, says he, (Pag. 15.) it be *unlawful* (and perhaps not only the *Doctor*, but others besides him think so) to succeed a deprived Bishop, then he is the Bishop of the Diocese still; and then the Law that deprives him is no Law, and consequently the King

and Parliament, that made that Law, no King nor Parliament —
 Which indeed some have been so bold to question, thinking
 it hardly possible that that can be a *lawful King*, who was
 made so by the *People*; or that a *lawful Parliament*, which
 was cut out of a *Convention*, not summon'd by the King's
 Writs, but made a *Parliament* by the celebrated *Miracle of*
Transubstantiation. A true Jest perhaps. But

———— *Ridentem dicere Verum*
Quis vetat? ———

But to go on with his admirable Train of Deductions,
 (Pag. 15.) If, says he, the deprived Bishop be the only lawful
 Bishop, then the People and Clergy of his Diocese are bound to own
 him and no other; then all the Bishops who own the Authority of a
 New Arch-Bishop, and live in Communion with him, are Schis-
 matics; and the Clergy, who live in Communion with Schisma-
 tical Bishops, are Schismatics themselves; and the whole Church
 of England now Established by [the New] Law is Schisma-
 tical, and Dr. B ——— himself a Schismatick, if he communicate
 with it. And thus we have no Church, or only a Schismatical
 Church, as well as no King; and all that Dr. B ——— has got
 by refusing a Bishoprick, is to prove himself a Schismatick, if he
 live in Communion; or to make a Schism, if he Separate from
 it. ——— The last Branch of his Disjunction I deny: For
 though Dr. B ——— proves himself a Schismatick, if he live
 in Communion with a Schismatical Church, yet he does not
 make a Schism by separating from it. For he makes the
 Schism, who makes the Terms of Communion unlawful.
 And, by the way, if all is true in this Train of Consequences,
 neither our Author, I hope, nor his swearing Brethren, will be
 offended at, or condemn the New Separation.

And so I pass to his second Head of Discourse, Pag. 17.
viz. the Lawfulness of the Thing it self; which, he says, is so
 evident when set in a clear Light that it will admit of no Dispute
 with Men of Sense.

He

He tells us, That in a late Letter said to be sent to Dr. B—— and now printed on the Back-side of a scandalous Rhiming Libel upon his Sermon of Restitution, he is threatened in case he should accept the Bishoprick, with the Fate of those Ecclesiastical Schismatical Usurpers, Gregory and George of Cappadocia, who unjustly invaded the See of Alexandria upon the deposing of Athanasius, the Orthodox Bishop there.

The Answer to this takes up the rest of his Book, in which he takes a great deal of Pains (perhaps to little purpose) and makes many Flourishes, pretending to be very accurate, like a Man of Sense, in distinguishing, and assigning the Difference between the Case of *Athanasius* and that of our deprived Bishops, in which he spends 13 or 14 Pages. But all that he says may be answer'd in a very few Words. And granting him, if it will do him any good, (because I do not love to wrangle where there is no need) what he says in his three first Paragraphs, Pag. 18, 19, 20, 21. where he pretends to clearly and accurately to state the Case touching the Incorporation of the Church into the State in a Christian Nation and Government, and the Supremacy of the Sovereign Power in all Ecclesiastical Causes, and the Extent of that Supremacy, Granting him, I say, what he says in this (excepting only in his Instance of deposing Bishops, who were never anciently deposed in any Regular, Orthodox, Christian State without consulting a Synod of Bishops, unless in Cases of capital Crimes, for which the criminal Bishop has forfeited his Estate and Life, and the Sovereign Power may proceed to a Decollation, which is a Deposition with a Witness, and that without consulting a Synod or Council) I shall only take notice of his Distinction in his fourth Paragraph, Pag. 21. *We must distinguish*, says he, *between an Ecclesiastical and Canonical Deposition of a Bishop for Heresy, or other Ecclesiastical Crimes; and a State Deprivation. The first*, he says, *concerns the Character, and Ecclesiastical Communion; it is the Censure of the Church, which concerns him as a Bishop; and when it is ratified and confirmed, not only by a Provincial, or National Synod, but by a General Council, such a de-*
posed

posed Bishop is no longer a Bishop of the Catholick Church, and no Christian must communicate with him as a Bishop. But a State Deprivation does not concern the Character; such a Man may be a Bishop of the Catholick Church still, if he do not fall under Church Censures, for Heresy or other Crimes; but it only concerns the Exercise of his Episcopal Authority in any Diocese within the Dominions of that State, or enjoying any Ecclesiastical Benefice in it. Under the first Branch of this Distinction our Author ranks the Case of St. Athanasius; and the Case of our deprived Bishops under the second.

I am sorry that our Author, who, it seems, has used himself to good Sense, as well as to ancient Canons, should be so grossly out in his History. For 'tis notorious that Athanasius was not condemn'd or depos'd for Heresy, or other Ecclesiastical Crimes; the Charge against him was not of that Nature. But the Arian Faction, being inveterate Haters of Athanasius for his resolute and constant adhering to the Catholick and Orthodox Faith, and vehemently and effectually opposing and baffling their Heterodox and Pernicious Opinions, and Heretical Doctrines and Positions, (and particularly at the Council of Nice, where he gave a mighty Blow to the growing Heresy, and wounded even to Death their great Goliath, Arius, which was not forgot when he was advanc'd to the Episcopal Throne) contriv'd his Ruin, and to that end they accuse him to the Emperor (who, they knew, was sensible that Athanasius was Orthodox, and therefore that 'twas in vain to charge him with Heresy) for being a turbulent, mutinous, factious Man, and a Disturber of the Peace, and other Immoralities. The Emperor out of a just Veneration and Deference for his Character (the Crimes laid to his Charge not being Capital, which if they had, there would have been another sort of Procedure against him; witness the Emperor's Directions to * Dalmatius the Censor at Antioch to proceed against him upon a Charge of Murther, who accordingly gave him Notice to provide for his Tryal, but before the Day came the Emperor was satisfied that the Person, whom

* Vid. Life of St. Athanasius, in Cave's Lives of the Fathers, Vol. 2. p. 77.

he was accus'd by the *Arians* to have murther'd, was alive) conven'd a *Synod*, to which he referr'd the Examination of *Athanasius's* Case, in which his implacable Enemies (whose Malice and Revenge was whetted and heightened to the highest degree) being both (a) his *Accusers* and *Judges*, they soon pronounc'd him guilty of the Crimes, which he was most (b) unjustly charged with ; and so depos'd him, not from the *Episcopal Character*, but *Jurisdiction*, and the Revenues of his See : Upon which the *Emperor* banish'd him. *Athanasius* appear before the Council of *Sardica* to be nothing but a Train of Malice and Villany. Id. p. 115.

(a) Vid Proceedings in the Synod at Tyre. Id. p. 87.

(b) The Proceedings against *Athanasius*.

So that such a Block-head as I am cannot (whatever this Gentleman with his *Lincoln* Eyes, who has used himself so much to good Sense, as well as to ancient Canons, can) so easily perceive such a vast Difference between these two Cases. Were our deprived Bishops charged with, or condemn'd for *Herey* ? So neither was *St. Athanasius*. Are our Bishops deposed from their *Episcopal Character* ? So neither was *St. Athanasius*. Are our Bishops accus'd of, and depriv'd for an Offence against the State ? So was *St. Athanasius*. Are our Bishops deposed from their *Episcopal Jurisdiction*, and the Revenues of their Sees ? So was *St. Athanasius*. Are our deprived Bishops thrust out and succeeded by *Ecclesiastical, Schismatical* (c) *Intruders and Urrpers* ? So was *St. Athanasius*. So that it does not appear that there is so vast a Difference between these two Cases. i. e. in respect of the Matter and Nature of the Deposition or Deprivation, notwithstanding our *Author's* accurate Distinction. Indeed there is this Difference (which he

(c) Such the *Sardican* Council esteem'd the Anti Bishops that were poss'd of *St. Athanasius's* See at *Alexandria* — *Gregory* is branded with this Mark of Infamy and Detestation, p. 116. — but especially in passing Sentence against *Gregory* the *Arian* Intruder at *Alexandria*, they shew'd a particular Detestation, pronouncing him not only to have been no Bishop, but not worthy the Name of a Christian, nulling all Ordinations made by him, and forbidding any to bear that Character, that had receiv'd Orders from him.

George, the *Cappadocian* Monster, (as *Nazianzen* calls him,) who succeeded *Gregory* was disown'd and discountenanc'd by all the Orthodox, Suffragan Bishops and Clergy belonging to the Metropolitan See of *Alexandria*, was install'd by a military Guard, being indeed a Man of Blood ; had a bloody Entrance, a bloody Continuance, and a bloody Exit. Id. p. 142, 143. and p. 174, 175.

may

may call a *vast Difference*, if he pleases) *between these two Cases*, in respect of the Manner of the Procedure. *Athanasius* had the Justice done him of being heard and try'd, and had Liberty to answer for himself : But our *Bishops* are condemn'd, *indictâ causâ*, without a formal Process, unheard, untry'd, and without Liberty to answer for themselves. *Athanasius* had the Honour and Deference paid to his Character, to have his Case referr'd to, and examin'd in a *Synod*. But our *Bishops* are *unsynodically* and *uncanonically* deposed, and censur'd, and condemn'd by an illegal *Convention*. *Athanasius* was censur'd and condemn'd for a Crime, which (as 'twas supposed, though not proved) he *had committed* : But our *Bishops* were censur'd and condemn'd not for a Crime *past*, but to *come* ; not for a Fault that they *had committed*, but for an Offence which 'twas expected they *would be guilty of*. *Athanasius* liv'd under a more *Arbitrary* Government, and was Subject to the Will of an *absolute Prince* ; (who yet allow'd him the Favour customarily due to *Christian Bishops*) But our *deprived Bishops* have the Happiness to live in a Kingdom, where they have a Right, in common with others, to the Benefit of *Magna Charta*, which provides that no *English Subject* shall lose Life, Limb, or Estate for any Offence, unless he is tryed by his Peers ; which is the inalienable *Privilege* and *Birth-Right* of an *English Subject*. Which not a Lawyer in *England* will deny. But

———— *Video Meliora proboque,*
Deteriora sequor. ————

I am not, I thank God, either so Popish, or Fanatical as to deny that the *Supreme Power* has *Authority* or *Jurisdiction* over *Ecclesiastical Persons*, who are Subject, as well as the Laity, to the Laws of distributive Justice, and that both in respect of *Rewards* and *Punishments*. I will allow (to use our *Author's* Words, Pag. 23.) the *Supreme Power* of a Nation to judge, who shall be *Bishops* in their *Dominions*, and enjoy the *Revenues*

venues of the Church, which are the Gift of the State ; but , by his leave, not such a Gift as is that of civil and military Offices, of a Judge or a Captain, which they are to hold ad placitum, or quam diu se bene gesserint : but it is such a Gift, as when once given, and legally settled on the Person on whom it is bestow'd, cannot be arbitrarily taken away at pleasure ; it being for his Life, and as much his Free-hold, as any Land in England is the Purchasers, who buys and pays for it. And then as for Punishments, there is no doubt but that Ecclesiastical Persons of what Degree or Figure soever they be, are under the Authority and Jurisdiction of the State, who may inflict Punishments according to the demerits of the Offenders. If the Crime is Capital, the Ecclesiastical Person may be try'd, and (if found Guilty) condemn'd in a Court of Justice by Criminal Judges, without a Synod or Council. But if it be an Offence against the State of a lesser and more inferiour Nature (as was that of St. Athanasius) it has been usual and customary, as I said before, in Regular, Orthodox, Christian States (I hope our Author will not insist on the Instance of the Parliamentary Deposition and Deprivation of Bishops, in pursuance of the Holy Covenant, in the late Civil Wars, or rather Rebellion, (if it will not offend our Author to call it so) which was indeed a Deposition of Bishops without a Synod or Council, and which perhaps may be suitably rank'd under the second Branch of his aforesaid Distinction of a State-Deprivation) and that out of Deference to the Episcopal Character, to consult a Synod or Council in case of the Deposition or Deprivation of Bishops from their Episcopal Jurisdiction, and the Revenues of their Sees. And though the great Kindness and Indulgence of Christian Emperors to Bishops, reserving Causes (but not all Causes, as our Author falsely speaks, without distinguishing between Offences against the State, &c. Witness the intended and appointed Tryal of Athanasius before Dalmatius the Censor at Antioch, as aforesaid, and his Examination before the Emperor upon a Charge of High Treason) reserving, I say, Causes relating to Bishops to the Cog-

Id. p. 76.

nizance of their own Synods, was in process of Time abused, and by Degrees grew into the Omnipotent Power of the Bishop of Rome (as our Author speaks, Pag. 26.) which domineered over Emperors themselves, and set the Church above the State, yet the abuse ought not to abolish the use of that which is necessary, convenient, and laudable.

Iren. 2 Edit.
with Appen-
dix. pag 418.
sect. 2.

*There is certainly a kind of Ebriety of the Mind, as well as of the Body, which makes it so unstable and pendulous that it oft-times reels from one Extream to the quite contrary — So that while they that at an Apparition are so much dead, they run into those untrodden Paths, wherein they lose both themselves and the Truth. Ibid p 418. sect 1.
Ibid. p. 418. sect. 2.

But our Author seems to be one of them, who, out of their just Zeal against the Extravagancies of those who scrued up Church Power to so high a Peg, that it was thought to make perpetual Discord with the Common-wealth, could never think themselves free from so great an Inconvenience, till they had melted down all Spiritual Power into the Civil State, and dissolv'd the Church into the Commonwealth; to use the Words of the Learned Dr. Stillingfleet. Who, whatever might unadvisedly drop from his Pen, in his *Irenicum*, derogatory to the Honour, and Power, and Privilege of the Church (which might owe it self to his *Juvenile Heat*, and too long and familiar Converse with *Erastian* and *Republican* Principles, with which perhaps his Mind was * *inebriated*, which made him reel to dangerous *Extreams*) yet has honestly made Amends in his *Appendix*, apologizing for himself in a lucky Parenthesis. — Which Hypothesis, says he, is the only rational Foundation on which Episcopal Government in the Church doth stand firm and unshaken, and which in the former Discourse I am far from undermining of, as an intelligent Reader may perceive. — And he must be a very intelligent Reader indeed that can perceive it. And therefore to expiate his Offence (which was taken, if not given) and prevent all Mistakes, and undeceive and fully inform the less discerning, intelligent Reader, he speaks plain in his *Appendix* (to which I will refer my Author for a fuller Answer to his accurate Distinction between an Ecclesiastical and a State-Deprivation, in which perhaps, being the Authority of a great Man, he may acquiesce; and for the sake of my Reader, who may not have the Book, I will transcribe a few remarkable Passages) wherein he tells you, That the World may see he has not been more forward to assert the just

just Power of the Magistrate in Ecclesiasticals, as well as Civils, than to defend the Fundamental Rights of the Church, he has taken this Opportunity more fully to explain and vindicate that part of the Churches Power, which lies in reference to Offenders; and therefore endeavours to give the Church her due, as well as Cesar his, by making good this following Principle or Hypothesis, viz. That the Power of inflicting Censures upon Offenders in a Christian Church, is a Fundamental Right, resulting from the Constitution of the Church, as a Society by Jesus Christ; and that the Seat of this Power is in those Officers of the Church, who have derived their Power originally from the Founder of this Society, and act by virtue of the Laws of it. Ibid. sect. 3.

In pursuance, and for the better Explanation of which Principle, he asserts, and endeavours to demonstrate,

First, That the Church is a peculiar Society in its own Nature, Ibid. p. 423. distinct from the Common-wealth; and that by reason of its Divine Institution, distinct Officers, different Rights, and Ends, and peculiar Offences. sect. 10.

Secondly, That the Power of the Church over its Members in case of Offences, doth not arise meerly from Confederation and Consent, though it doth suppose it. Ibid. p. 431. Which Power, says he, may be considered two ways, either First, as it implies the Right in some of inflicting Censures; as Excommunication, Suspension, Deposition, or Deprivation of Ecclesiastical* Officers, when there is just cause for it. Which are Acts of the Church, as such, and peculiarly relating to Church-Power, and not Acts of the State. For the Exercise and Administration of this Power, belongs not to the Body of the Society considered complexly, but to the special Officers and Governors of the Church (who like the Eyes to the Body, are the ὀφθαλμοὶ, the Overleers of it) none

* For the Laity to suspend or depose the Clergy is as preposterous, as for the Sheep to discipline the Shepherd. Even Nature teaches us, that if the Shepherd offends, he must be censured by his Fellow-Shepherds, and not by the Sheep.

Even King James himself, as great a Violator of Liberty and Property, and the Privileges of Society, as he was vould to be, did not think it proper to refer the Censure. i. e. the Suspension or Deprivation of Ecclesiasticks to the Civil Magistrate, or the Representatives of the People, but left it to Ecclesiastical Commissioners consisting of Bishops, &c. who were fittest to censure their Brethren. They say, It is a Diamond that must cut a Diamond.

Pag. 437.
sect. 19.

else being capable of exercising this Power of the Church, as such, but they on whom it is settled by the Founder of the Church is self. Or, Secondly, as it implies in others, the Duty of submitting to Censures inflicted. So that the Right of inflicting Censures doth not result meerly ex confederatâ disciplinâ, the Power being settled upon the Church by Divine Institution.

Ibid. p 423.
and 446.

Pag. 446.

Pag. 422.
sect. 9.

Thirdly, That this Power of the Church doth extend to the Exclusion of Offenders from the Privileges of it.

Fourthly, That the Fundamental Rights of the Church do not escheat to the Common-wealth, upon its being united or incorporated into a Christian State. (Which Union or Incorporation, he says, is only accidental as to the Constitution of a Church) but the Power remains formally in the Church. Which Power, he says, is not only a kind of Widows Estate, which belonged to it only during its Separation from the Civil Power, but the Church is absolutely infeffed of it as its perpetual Right, belonging to it in all Conditions whatsoever it should be in; as appears by the Tenure of it, and the Grounds on which it is conveyed, which being perpetual and universal, it from thence appears that no Accession to the Church can invalidate its former Title.

Pag. 447.

Pag. 446.

And then that Reverend Author concludes with this remarkable Passage, That though the Magistrate hath the main Care of ordering Things in the Church (that is, in respect of the Right of Supreme Management of this Power in an external way, of which he gives four particular Instances) yet (the Magistrate's Power in the Church being cumulative, and not privative) the Church and her Officers retain the Fundamental Right of inflicting Censures on Offenders.

What has been already said is enough to answer what our Author does further urge, Pag. 27. touching the Authority which the Jewish Kings exercised over their High Priests, (concerning whom 'tis very probable, and nothing appears to the contrary, that they consulted the Sanhedrim) and particularly Solomon's deposing Abiathar, and placing Zadock in his stead. Let it be consider'd what Abiathar's Crime was, which (as appears by the Words he recites) was no less than

than *High Treason* in following *Adonijah* to make him King, for which *Solomon*, instead of taking away his *Place*, might have taken off his *Head*, he having forfeited both his *Estate* and *Life*.

As to what he says, Pag. 27. about the changing the *High-Priest every Year* (*though by the Institution of God it was for Life*) *when Judea was under the Government of the Romans*, I conceive is nothing to the purpose; (the *Jewish* Polity and Government being dissolv'd, and that according to the Will of God, in pursuance of the ancient Prediction, (*Gen 49. 10.*) and therefore no wonder that our *Saviour* was not concern'd at it, nor found fault with their Change either of their *High-Priests* or *Kings*.) And as impertinent is his Instance, Pag 28. of the *Grand Signior's making and unmaking the Patriarch of Constantinople at pleasure* (to which he may add *Oliver's* deposing of Bishops, and depriving the Divines of the Church of *England*, if he pleases, and so joyn a *Mahometan* and an *Usurper*) notwithstanding what *Dr. Sherlock* says (who, he tells us, in his Case of Allegiance took Notice of this as matter of Fact, without enquiring into the Reasons) whose *Authority* is of as little Esteem with me, as his own *Principles* are with himself.

There remains but one Thing more which I shall take notice of, and that is what our *Aathor* says, Pag. 29. *The Truth is*, says he, *the same Objections which are now made against the Promotion of these new Bishops, are equally strong, and as eagerly urg'd at this Day by the Papists against our first Reformers: For they were promoted to Bishopricks, while the former Popish Bishops were living, and not canonically deposed by any Act of the Church, but only by the Authority of the State.*

To this I answer, That the *Popish Bishops* in the Beginning of the Reign of *Queen Elizabeth* (to which I presume he re-*Vid. Fox Book* fers) were summon'd by the Queen to meet in an Assembly of Martyrs, of Divines conven'd at *Westminster*, to dispute and debate Vol. 3. about Matters of Religion, in order to the Settlement of the Church.

Church. But the *Popish Bishops* were contumacious, and mutinous in the Assembly, and Disturbers of the Peace, and would not pay Obedience to the Queens Orders and Directions about the Method of the said Disputation and Debate. So that the Assembly was forc'd to break up without prosecuting or promoting the pious Ends for which they met. For which contumacy and Disobedience they fell under the Queens Displeasure, and were committed to Prison; but were not depos'd, or depriv'd of their Bishopricks by any Act of the State. Sometime after a *Parliament* was call'd, and Matters of Religion and the Government of the *Church* settled, and the *Romish* Worship abolished. But the *Popish Bishops* would not qualifie themselves to hold their Bishopricks, but utterly refus'd to subscribe to, or comply with the *Constitution* of the *Church of England*, as by Law establish'd. Which is far wide from the Case of our *deyriued Bishops*. What Contumacy, or mutinous Behaviour, or Disobedience were they guilty of? Were they not sufficiently qualified to hold their Bishopricks according to the *Constitution* of the *Church of England*? Were they Oppugners of the *Doctrine*, *Discipline*, or *Government* of it? On the contrary, Have they not been, and are they not still zealous and constant Assertors and Maintainers of it? For which they suffer, and for which in time they will have their Reward, if not in this World, yet in that to come; when their *Adversaries*, without Repentance, will receive the Reward of their *Apostacy*.

Our *Author* concludes with desiring his Friend to persuade Dr. B—— to repent, and puclickly to own his Mistake.—— Perhaps the *Doctor* has prevented him, and has repented another way, and does not think fit now to repent of his Repentance (which 'tis only to be wish'd he would make as publick as his Error) which may not be too late to do himself good, being the only Recompence he can now make.

Thus

Thus, Sir, begging your Pardon for the
Trouble of this Paper, which may serve a
little to divert you in the *Country*, instead
of better Entertainment, I rest,

S I R,

Lond. June 10.
1691.

Your humble Servant.

F I N I S.
